

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**FALLS CHURCH MEDICAL CENTER, LLC,** )  
d/b/a FALLS CHURCH HEALTHCARE CENTER, )  
et al.; )  
Plaintiffs, )  
v. ) Case No. 3:18cv428-HEH  
**M. NORMAN OLIVER, Virginia Health** )  
Commissioner, et al., )  
Defendants. )

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Defendants M. Norman Oliver, Robert Payne, Faye O. Prichard, Theophani Stamos, Anton Bell, Michael N. Herring, Colin Stolle, and Robert Tracci (collectively, "Defendants"), by counsel, pursuant to Federal Rule of Civil Procedure 56, hereby move for summary judgment in their favor as to Counts I, II, III, IV, VII and VIII of the Amended Complaint filed against them by Plaintiffs.

The grounds for Defendants' motion are set forth in the supporting memorandum filed contemporaneously herewith.

WHEREFORE, Defendants respectfully request that this Court grant summary judgment in their favor on all counts set forth above, dismiss this case with prejudice, and award Defendants their costs incurred herein, as well as such other and further relief as the Court deems equitable, just, and proper.

Dated: March 11, 2019

Respectfully submitted,

**M. NORMAN OLIVER, ROBERT PAYNE,  
FAYE O. PRICHARD, THEOPHANI STAMOS,  
ANTON BELL, MICHAEL N. HERRING,  
COLIN STOLLE, and ROBERT N. TRACCI**

/s/ Emily M. Scott

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Courtney Moates Paulk (VSB No. 45523)  
Emily M. Scott (VSB No. 71435)  
Jaime B. Wisegarver (VSB No. 81095)  
John P. O'Malley (VSB No. 92439)  
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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11<sup>th</sup> day of March 2019, I caused a true and correct copy of the foregoing to be electronically filed with the Clerk of Court for the Eastern District of Virginia, Richmond Division, using the Court's CM/ECF system, which thereby caused the above to be served electronically on all registered users of the Court's CM/ECF system.

/s/ Emily M. Scott

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